

Attorney's Docket No. 5174NP 621116-2

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL, CONTINUATION, OR CIP)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: (check one applicable item below)

- ☒ nonprovisional
☐ design
☐ supplemental

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application, do not check next item; check appropriate one of last three items.

- ☐ national stage of PCT

NOTE: If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION, OR CIP.

- ☐ divisional
☐ continuation
☐ continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

WARNING: If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

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TITLE OF INVENTION

SUBLITHOGRAPHIC NANOSCALE MEMORY ARCHITECTURE

SPECIFICATION IDENTIFICATION

the specification of which: (complete (a), (b) or (c))

(a) ☐ is attached hereto.

(b) ☒ was filed on 24 July 2003 as ☒ Serial No. 10/627.406
or ☐ Express Mail No., as Serial No. not yet known, _____
and was amended on _____ (if applicable).

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ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code Federal Regulations § 1.56.

[] In compliance with this duty there is attached an information disclosure statement 37 CFR 1.97.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign applications(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

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(d) [X] no such applications have been filed.

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EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN(S)) PRIOR TO THIS U.S. APPLICATION

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			[] YES [] NO
			[] YES [] NO
			[] YES [] NO
			[] YES [] NO
			[] YES [] NO

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CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. Section 119(e))

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60/398,943
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CUSTOMER NO.: 36716

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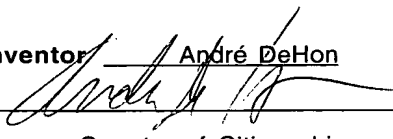
(323) 934-2300

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of **sole or first inventor** André DeHon

Inventor's signature X 

Date X 10/26/03 Country of Citizenship U.S.A.

Residence 1270 Cordova, Apt. #9, Pasadena, CA 91106, U.S.A.

Post Office Address (same as residence)

Full name of **second inventor** Charles M. Lieber

Inventor's signature _____

Date _____ Country of Citizenship U.S.A.

Residence 27 Hayes Ave., Lexington, MA 02420-2012, U.S.A.

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Full name of **third inventor** Patrick D. Lincoln

Inventor's signature _____

Date _____ Country of Citizenship U.S.A.

Residence 160 Sunrise Drive, Woodside, California 94062, U.S.A.

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Full name of **fourth inventor** John E. Savage

Inventor's signature _____

Date _____ Country of Citizenship U.S.A.

Residence 65 Humboldt Avenue, Providence, Rhode Island 02906, U.S.A.

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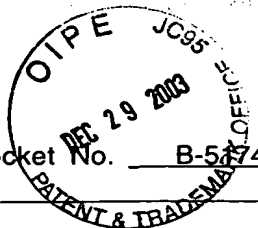
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Inventor's signature X Charles M. Lieber
Date X 10/27/03 Country of Citizenship U.S.A.
Residence 27 Hayes Ave., Lexington, MA 02420-2012, U.S.A.
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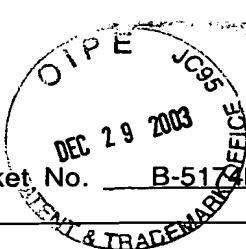
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Date _____ Country of Citizenship U.S.A.

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Full name of **third inventor** Patrick D. Lincoln

Inventor's signature X 

Date Oct 13 2003 Country of Citizenship U.S.A.

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Full name of **fourth inventor** John E. Savage

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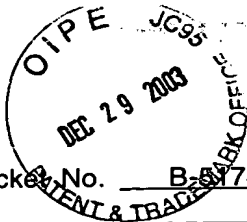
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(323) 934-2300

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of **sole or first inventor** André DeHon

Inventor's signature _____

Date _____ Country of Citizenship U.S.A.

Residence 1270 Cordova, Apt. #9, Pasadena, CA 91106, U.S.A.

Post Office Address (same as residence)

Full name of **second inventor** Charles M. Lieber

Inventor's signature _____

Date _____ Country of Citizenship U.S.A.

Residence 27 Hayes Ave., Lexington, MA 02420-2012, U.S.A.

Post Office Address (same as residence)

Full name of **third inventor** Patrick D. Lincoln

Inventor's signature _____

Date _____ Country of Citizenship U.S.A.

Residence 160 Sunrise Drive, Woodside, California 94062, U.S.A.

Post Office Address (same as residence)

Full name of **fourth inventor** John E. Savage

Inventor's signature X John E. Savage

Date X 9/29/03 Country of Citizenship U.S.A.

Residence 65 Humboldt Avenue, Providence, Rhode Island 02906, U.S.A.

Post Office Address (same as residence)

**CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGES(S)
WHICH FORM A PART OF THIS DECLARATION**

- ☐ Signature for third and subsequent joint inventors. *Number of pages added* ____
- ☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. *Number of pages added* ____
- ☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. *Number of pages added* ____
- ☐ Added pages to combined declaration and power of attorney for divisional, continuation-in-part (CIP) application. *Number of pages added* ____

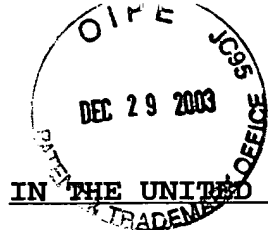
* * *

- ☐ Authorization of attorney(s) to accept and follow instructions from representative.

* * *

**(If no further pages form a part of this Declaration then end this Declaration with
this page and check the following item.)**

- ☒ This declaration ends with this page.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: André DeHon, et al.) Re: Small Entity Statements
)
) Group: 2818
)
Serial No.: 10/627,406)
)
) Examiner: Not yet assigned
)
Filed: July 24, 2003)
)
) Our Ref: B-5174NP 621116-2
)
For: "SUBLITHOGRAPHIC NANOSCALE)
MEMORY ARCHITECTURE") Date: December 22, 2003

MAIL STOP MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed for filing in the subject application are three Verified Statement (Declaration) Claiming Small Entity Status - Nonprofit Organization executed by three of the assignees for the above-identified application.

Respectfully submitted,

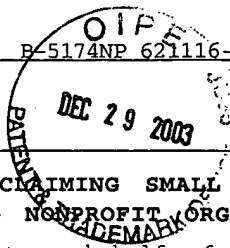
Richard P. Berg
Attorney for the Applicant
Reg. No. 28,145

c/o LADAS & PARRY
5670 Wilshire Boulevard, Suite 2100
Los Angeles, California 90036-5679

Telephone No.: (323) 934-2300
Facsimile No.: (323) 934-0202

Enclosure: Verified Statement (Declaration) Claiming Small Entity Status
(2 pages) for PRESIDENT AND FELLOWS OF HARVARD COLLEGE
Verified Statement (Declaration) Claiming Small Entity Status
(2 pages) for BROWN UNIVERSITY
Verified Statement (Declaration) Claiming Small Entity Status
(1 page) for SRI INTERNATIONAL

Applicant(s): Andre DeHon, et al. Attorney's Docket No.: B-5174NP 621116-2
Serial or Patent No.: 10/627,406
Filed or Issued: July 24, 2003
For: "SUBLITHOGRAPHIC NANOSCALE MEMORY ARCHITECTURE"



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(d) - NONPROFIT ORGANIZATION)**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION PRESIDENT AND FELLOWS OF HARVARD COLLEGE
ADDRESS OF ORGANIZATION 17 Quincy St., CAMBRIDGE, MA 02138, USA

TYPE OF ORGANIZATION

- ☐ University or other institution of higher education
☐ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))
☐ Nonprofit scientific or educational under statute of state of The United States of America
(Name of state _____)
(Citation of statute _____)
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)) if located in The United States of America
☐ Would qualify as nonprofit scientific or educational under statute of state of The United States of America if located in The United States of America
(Name of state _____)
(Citation of statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9 (e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled "SUBLITHOGRAPHIC NANOSCALE MEMORY ARCHITECTURE" by inventor(s) Andre DeHon, Charles M. Lieber, Patrick D. Lincoln and John E. Savage described in

- ☐ the specification filed herewith
☒ application serial no.: 10/627,406, filed July 24, 2003.
☐ patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: CALIFORNIA INSTITUTE OF TECHNOLOGY
ADDRESS 1200 E. California Blvd., M/C 201-85, Pasadena, CA 91125, USA
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

NAME: SRI INTERNATIONAL
ADDRESS 333 Ravenswood Avenue, Menlo Park, CA 94025, USA
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

NAME: BROWN UNIVERSITY
ADDRESS Box 1949, 42 Charlesfield, Room 301, Providence, RI 02912
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

X JOYCE BRINTON

TITLE OF ORGANIZATION

X President and Fellows of Harvard College

ADDRESS OF PERSON SIGNING

X 1350 MASS AVE #727, Cambridge MA

02138

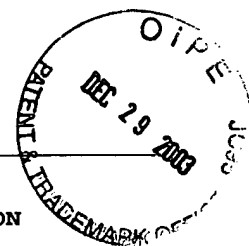
SIGNATURE

X

DATE

X 11/6/03

Applicant(s): Andre DeHon, et al. Attorney's Docket No.: B-5174NP 621116-2
Serial or Patent No.: 10/627,406
Filed or Issued: July 24, 2003
For: "SUBLITHOGRAPHIC NANOSCALE MEMORY ARCHITECTURE"



**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(d) - NONPROFIT ORGANIZATION)**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION BROWN UNIVERSITY
ADDRESS OF ORGANIZATION Box 1949, 42 Charlesfield, Room 301, Providence, RI 02912

TYPE OF ORGANIZATION

- ☒ University or other institution of higher education
☐ Tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3))
☐ Nonprofit scientific or educational under statute of state of The United States of America
(Name of state _____)
(Citation of statute _____)
☐ Would qualify as tax exempt under Internal Revenue Service Code (26 USC 501(a) and 501(c)(3)) if located in The United States of America
☐ Would qualify as nonprofit scientific or educational under statute of state of The United States of America if located in The United States of America
(Name of state _____)
(Citation of statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9 (e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled "SUBLITHOGRAPHIC NANOSCALE MEMORY ARCHITECTURE" by inventor(s) Andre DeHon, Charles M. Lieber, Patrick D. Lincoln and John E. Savage described in

- ☐ the specification filed herewith
☒ application serial no.: 10/627,406, filed July 24, 2003.
☐ patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: CALIFORNIA INSTITUTE OF TECHNOLOGY
ADDRESS 1200 E. California Blvd., M/C 201-85, Pasadena, CA 91125, USA
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

NAME: SRI INTERNATIONAL
ADDRESS 333 Ravenswood Avenue, Menlo Park, CA 94025, USA
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

NAME: PRESIDENT AND FELLOWS OF HARVARD COLLEGE
ADDRESS 17 Quincy St., CAMBRIDGE, MA 02138, USA
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

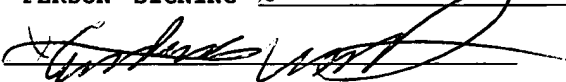
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

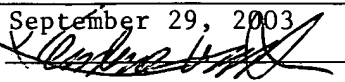
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING ☒ Andries van Dam

TITLE OF ORGANIZATION ☒ Vice President for Research

ADDRESS OF PERSON SIGNING ☒ Box 1949, 42 Charlesfield Street, Providence, RI 02912

SIGNATURE 

DATE ☒ September 29, 2003 

**STATEMENT CLAIMING SMALL ENTITY STATUS**
(37 CFR 1.27(a)(3))--NONPROFIT ORGANIZATIONApplicant: SRI INTERNATIONALApplication No.: Not Yet KnownFiled: JULY 24, 2003Title: SUBLITHOGRAPHIC NANOSCALE MEMORY ARCHITECTURE

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION: SRI INTERNATIONAL
ADDRESS OF NONPROFIT ORGANIZATION: 333 Ravenswood Avenue
Menlo Park, CA 94025TYPE OF NONPROFIT ORGANIZATION: UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))

NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA

NAME OF STATE CALIFORNIA
CITATION OF STATUTE California Corporations Code Section 5110, et seq.

WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA

WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA

(NAME OF STATE _____)

(CITATION OF STATUTE _____)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.27(a)(3) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described

in:

- ☐ the specification filed herewith with title as listed above.
☒ **the application identified above.**
☐ the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37CFR 1.27(a)(1) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2) or a nonprofit organization under 37 CFR 1.27(a)(3)(i).

Each person, concern, or organization having any rights in the invention is listed below:

- ☐ no such person, concern, or organization exists.
☒ each such person, concern, or organization is listed below.

CALIFORNIA INSTITUTE OF TECHNOLOGY, PRESIDENT AND FELLOWS OF HARVARD COLLEGE, AND BROWN UNIVERSITY RESEARCH FOUNDATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.27(g))

NAME OF PERSON SIGNING Edward E. DavisTITLE IN ORGANIZATION OF PERSON SIGNING Assistant SecretaryADDRESS OF PERSON SIGNING: SRI International, 333 Ravenswood Avenue, Menlo Park, CA 94025SIGNATURE DATE 8/1/03